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DECLARATION, POWER OF ATTORNEY, AND PETITION

As the below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated immediately below next to my name;

Full name of inventor: Russell A. Houser  
Residence (City/State): Livermore, California  
Mailing Address: 1787 Verdite Street  
Livermore, California 94550  
Citizenship: United States

Full name of second inventor: James G. Whayne  
Residence (City/State): San Jose, California  
Mailing Address: 868 Del Avion Lane,  
San Jose, California 95138  
Citizenship: United States

Full name of third inventor: Sidney D. Fleischman  
Residence (City/State): Menlo Park, California  
Mailing Address: 855 Woodland Avenue  
Menlo Park, California 94025  
Citizenship: United States

I believe I am an original, first, and sole inventor (if only one name appears above, or a joint inventor if more than one name appears above) of the subject matter which is claimed and for which a patent is sought on the invention entitled SUTURELESS ANASTOMOSIS SYSTEMS, the specification of which is attached hereto;

I state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein;

I acknowledge the duty to disclose information material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

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I hereby claim priority benefits under Title 35, United States Code, §119 (or §365) of any foreign application(s) for patent or inventor's certificate listed pursuant to §119 (a)-(d) or of any provisional patent application(s) listed pursuant to §119(e), and have identified any such application(s) for patent or inventor's certificate having a filing date before this application:

60/088,705

(Number)

U.S.

(Country)

10 June 1998

(Day/month/year filed)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information in accordance with Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

N/A

(Application Serial No.)

(Filing date)

(Status - patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint, jointly and severally, Frederick W. Niebuhr, Registration No. 27,717, John F. Klos, Registration No. 37,162 and Andrew D Ryan, Registration No. 39,351 and LARKIN, HOFFMAN, DALY & LINDGREN, LTD., 1500 Norwest Center, 7900 Xerxes Avenue South, Bloomington, Minnesota 55431-3333, my attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith, and the general power of attorney to file and prosecute any foreign or International (PCT) application claiming the benefit of priority of this application, or any continued prosecution application, continuation, continuation-in-part, divisional, reexamination, or reissue thereof.

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Please direct all communications concerning this application to:

Frederick W. Niebuhr  
Larkin, Hoffman, Daly & Lindgren, Ltd.  
1500 Norwest Center  
7900 Xerxes Avenue South  
Bloomington, Minnesota 55431-3333  
(612) 896-1520

Wherefore, I pray that Letters Patent be granted for the invention or discovery described and claimed in the above-referenced specification including the claims, and I hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition.

Full name of inventor: Russell A. Houser

Inventor's signature:

Date:

6/1/99

Full name of second inventor, if any: James G. Wayne

Inventor's signature:

Date:

5/31/99

Full name of third inventor, if any: Sidney D. Fleischman

Inventor's signature:

Date:

5/31/99